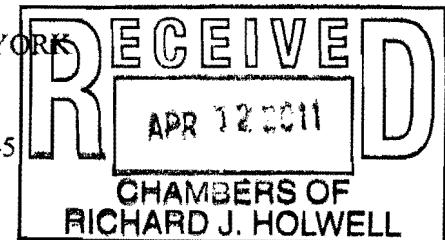


UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE STATE STREET BANK AND TRUST CO. ERISA LITIGATION	)	08 MDL No. 1945
-----		)
F.W. WEBB COMPANY, et al.	)	)
Plaintiffs,		)
v.		)
STATE STREET BANK AND TRUST COMPANY, et al.	)	)
Defendants.		)
CIVIL ACTION NO. 1:09-CV-1241 (APR 12 2011)		

**STIPULATION OF DISMISSAL WITH PREJUDICE**

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the parties to this action hereby stipulate and agree that all claims that were asserted, or could have been asserted, in this action shall be dismissed with prejudice. Plaintiffs' motions for reconsideration and for leave to file an amended complaint, dated September 8, 2010, are hereby withdrawn with prejudice. The parties shall bear their own fees and costs, and waive all rights of appeal. Notwithstanding the foregoing, the parties agree in the event that there is a class recovery in the case entitled *Ning Yu v. State Street Corporation*, Civ. A. No. 08-cv-08235-RJH-JLC (S.D.N.Y.), this stipulation will not affect Plaintiffs' ability to submit a claim as an absent class member.

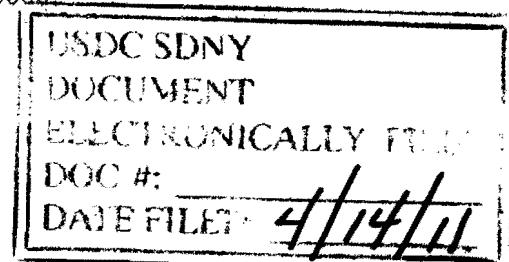
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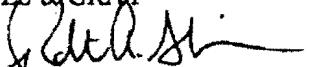
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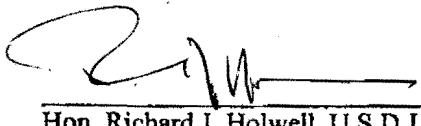
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SO ORDERED, THIS 14 DAY OF APRIL, 2011:



Hon. Richard J. Holwell, U.S.D.J.